

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

**NORFOLK SOUTHERN RAILWAY
COMPANY**

v.

Plaintiff,

ZEMROCK, INC.

Defendant.

CASE NO: 7:23-cv-03079-NSR

ORDER OF JUDGMENT

UPON GOOD CAUSE SHOWN, it is hereby ORDERED that judgment shall be and is hereby entered in this matter in favor of plaintiff, Norfolk Southern Railway Company, and against defendant, Zemrock, Inc. in the amount of \$354,840.59, as follows:

- \$300,791.86 in unpaid freight charges;
- \$24,122.30 in accrued interest on the unpaid freight charges from the date of Norfolk Southern Railway Company's respective freight bills (as shown on ECF No. 23 at 4 to 5) through June 24, 2023;
- \$22,002.92 in unpaid settlement proceeds pursuant to a certain Settlement Agreement dated August 9, 2022 (which further provides for interest at a rate of 12% per annum on the unpaid balance in the event of default);

USDC SDNY

DOCUMENT

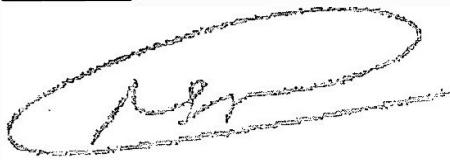
ELECTRONICALLY FILED

DOC #:

DATE FILED: 12/07/2023

- \$7,923.51 in accrued interest related to Zemrock, Inc.'s unpaid settlement pursuant to that certain August 9, 2022 Settlement Agreement, representing \$6,967.97 accrued on the applicable principal from the date of Norfolk Southern Railway Company's respective freight bills (as shown on ECF No. 23-3 at 6) through the August 9, 2022 settlement, and \$955.54 accrued on the unpaid settlement from August 9, 2022 through June 24, 2023); and
- As provided by 28 U.S.C. §1961, post-judgment interest shall accrue on the unpaid balance of this judgment through the date of payment thereof at the rate of 5.33%, compounded annually.

IT IS SO ORDERED THIS 7th DAY OF December, 2023,

A handwritten signature in black ink, enclosed in a decorative oval border. The signature reads "Nelson S. Román".

Nelson S. Román, U.S.D.J.